

**CLOSED**

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

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HOSSAM KASSEM,

Plaintiff,

v.

WALGREENS CORPORATE, and KAM  
SOLIMAN,

Defendants.

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**Civil Action No. 12-6132 (SRC)**
**OPINION & ORDER**
**CHESLER, District Judge**

This matter comes before the Court upon the appeal filed by pro se Plaintiff Hossam Kassem ("Plaintiff") of the Clerk's Order to Tax Costs. Defendants Walgreen Eastern Co., Inc. ("Defendant") did not file opposition. The Court has considered Plaintiff's submissions, and for the reasons that follow, it will grant Plaintiff's appeal. As stated in the Clerk's careful and thoughtful opinion of October 2, 2014, this Court may exercise equitable discretion to decline the taxation of costs against a party. The Court has considered Plaintiff's affidavits of indigence and is satisfied that Plaintiff is indigent. The Court further finds that Plaintiff's indigence constitutes an equitable basis upon which to decline the taxation of costs. See In re Paoli R.R. Yard PCB Litig., 221 F.3d 449, 462-65 (3d Cir. 2000). Accordingly,

**IT IS** on this 31<sup>st</sup> day of October, 2014,

**ORDERED** that Plaintiff's motion for appeal [docket entry 66] is **GRANTED**, and the Order awarding costs against him [docket entry 65] is **VACATED**.

s/ Stanley R. Chesler  
 STANLEY R. CHESLER  
 United States District Judge